
REPORT OF CABINET

MEETING HELD ON 17 JULY 2008

Chairman: * Councillor David Ashton

Councillors: * Marilyn Ashton * Barry Macleod-Cullinane
 * Miss Christine Bednell * Chris Mote
 * Tony Ferrari * Paul Osborn
 * Susan Hall * Mrs Anjana Patel

* Denotes Member present

[Note: Councillors Margaret Davine and Stanley Sheinwald also attended this meeting to speak on the items indicated at Minutes 457, 459 and 461 below].

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

452. **Declarations of Interest:**

During the discussion on agenda item 17, Adults and Housing Transfer of Residential Homes, three Members present declared an interest.

RESOLVED: To note that the following interests were declared:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
17. Key Decision – Adults and Housing Transfer of Residential Homes	Councillor David Ashton	The Member declared an interest in that he sat on the fundraising Board of Harrow Mencap. The Member remained in the room whilst the matter was considered and voted upon.
	Councillor Julia Merison	The Member declared an interest in that her nephew attended Bedford House. The Member remained in the room whilst the matter was considered and voted upon.
	Councillor Anjana Patel	The Member declared an interest in that she was a Board Member of Harrow Mencap. The Member remained in the room whilst the matter was considered and voted upon.

453. **Minutes:**

RESOLVED: That the minutes of the meeting held on 19 June 2008, be taken as read and signed as a correct record.

454. **Arrangement of Agenda:**

The Chairman drew Members attention to the three items that had been circulated on the supplemental agenda. He asked Cabinet to consider these items as a matter of urgency for the reasons detailed on the supplemental agenda.

During the course of the meeting, the Chairman drew attention to comments received from Unison in relation to agenda item 17, Adults and Housing Transfer of Residential Homes, which had been tabled. Members indicated that they would consider Unison's comments in conjunction with the officer report.

RESOLVED: That all business be considered with the press and public present with the exception of the following items for the reasons set out below:-

<u>Item</u>	<u>Reason</u>
16. 2007-08 Treasury Management Activity	The report was exempt from publication under paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972 (as amended) in that it contained information relating to the financial or business affairs of any particular person (including the authority holding that information).
17. Key Decision – Adult and Housing Transfer of Residential Homes	The report was exempt from publication under paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972 (as amended) in that it contained information relating to the financial or business affairs of any particular person (including the authority holding that information).

455. **Petitions:**

1. Mr Roger Reading presented a petition containing 63 signatures on behalf of the residents of Woodside Drive, Stanmore in relation to the unreasonable behaviour of some residents on the estate. He circulated a copy of the petition to all members of Cabinet and highlighted particular issues of concern. In accordance with Executive Procedure Rule 15.2, the Chairman extended the time allowed to present the petition.

The Chairman gave an undertaking to work with the three Stanmore Park Ward Councillors and to respond to the issues raised in the petition. He advised that, if necessary, the estate would be leafleted.

RESOLVED: That the petition be received and referred to the relevant Corporate Director for consideration.

2. Cabinet received a petition containing 112 signatures which had been referred by Council on 10 July 2008. The terms of the petition were as follows:-

“Transfer of Residential Services run by Harrow Consortium for Special Needs (HCSN) to Support for Living

We, the undersigned, strongly urge the Cabinet to reconsider its decision to transfer residential services run by Harrow Consortium for Special Needs (HCSN) to Support for Living on the following grounds:

1. There has been no communication or consultation with residents and carers in the affected units or wider learning disability and mental health communities regarding the proposed transfer. (see statutory requirement in Commission for Social Care Inspection (CSCI) November 2007 report of 7 Kenton Road – “The provider must make sure that residents, staff and the Commission are consulted about future plans for the service especially where this may involve closure or changes to the homes registration”. CSCI’s deadline of 31.03.08 not complied with).
2. To enter a block contract for residential and supported living with one provider will severely limit service user accommodation options and totally conflicts with the Council’s Adult & Housing Transformation Plan and Recommendation 15 of Harrow PCT’s Mental Health Partnership Board’s MH Needs Assessment.
3. The contract was not subjected to a tendering process that would ensure transparency and value for money.”

RESOLVED: That the petition be received and considered in conjunction with agenda item 17, Adults and Housing Transfer of Residential Homes.

(See Minute 469).

456. **Public Questions:**

RESOLVED: To note that no public questions had been received.

457. **Councillor Questions:**

RESOLVED: To note the following Councillor Question had been received:

1.

Questioner: Councillor Margaret Davine.

Asked of: Councillor Barry Macleod-Cullinane, Portfolio Holder for Adults and Housing.

Question: "In relation to the Part Two item on the tonight's Cabinet Agenda, Item 17 Adult and Housing Transfer of Residential Homes, can you give a categorical assurance that whichever option is adopted by the Cabinet the position of current users will be protected and that there will be full consultation with them and their carers before any changes in their individual living arrangements made".

Answer: Yes, I want to give you a reassurance that, without going into the specifics of the Part II report, that Harrow Council is committed to ensuring that the services we provide to our users, and the carers that support them, match the carers' and, more importantly, the users' needs, that they are appropriate to them, and that we provide a range of services to reflect the fact that no one is the same and that at different times and different stages of life they have a different needs spectrum.

We will make sure that the users are paramount in our deliberations and, secondly, in any move forward, we will ensure that there is consultation that includes the relevant people, that brings them on board and that we consider what they think and listen to their suggestions because their ideas will help us better tailor services to their needs.

I plan to make sure that I, my Cabinet assistants and my officer team are engaging with users and other organisations involved to ensure that we have the widest possible consultation on this.

Supplemental Question: Can you also give an assurance that whenever changes to living conditions may be made, the service user concerned will be given full support according to their individual needs, including advocacy if it is felt necessary for their accessibility?

Supplemental Answer: Again, yes I can. And again it fits very closely with the "personalization of care" agenda to make sure that people are getting the services that they need and which are appropriate to them, to assist them in taking more responsibility and control over decisions as to what services they need, what are their needs and how these needs are to be met. We want to empower our users to have a better standard and quality of life. We want them to be choosing how their care is delivered.

458. **Forward Plan 1 July - 31 October 2008:**

RESOLVED: To note the contents of the Forward Plan for the period 1 July – 31 October 2008.

459. **Reports from the Overview and Scrutiny Committee or Sub-Committees - Scrutiny Review - Delivering a Strengthened Voluntary and Community Sector:**

The Chairman of the Overview and Scrutiny Committee introduced the report which set out interim findings of the scrutiny review – delivering a strengthened voluntary and community sector. The purpose of the report was to provide Cabinet with details of progress made so far and the opportunity to contribute to the second phase of the project. He thanked the participants in the review and indicated that he looked forward to presenting the final report to Cabinet in December 2008.

The Chief Executive of Harrow Association of Voluntary Service stated that the voluntary sector had welcomed their involvement in the review and were pleased that it would not only look at the grants process. She stated that she was hopeful of a positive way forward.

The Chairman drew Members' attention to the reference from the Overview and Scrutiny Committee meeting held on 8 July 2008 which had been circulated as an urgent item on the supplemental agenda.

Members welcomed the report and

RESOLVED: That (1) the interim findings of the scrutiny review be noted;

(2) the findings of the review so far were a fair reflection of the current climate and that they be used to inform the second phase of the review and any recommendations;

(3) the revised reporting date for the review of December 2008 be noted;

(4) the 2009-10 grants round should be conducted in full compliance with the existing criteria and process and in a transparent way;

(5) Member development for the Grants Advisory Panel be undertaken to increase awareness of the principles of the Harrow Compact and to support Members in developing a fuller understanding of the pressures and challenges faced by the sector.

Reason for Decision: In accordance with Overview and Scrutiny Procedure Rules, Cabinet shall consider reports produced by the Committee.

(See Minute 454).

460. **Progress on Scrutiny Projects:**

RESOLVED: To receive and note the current progress on Scrutiny Reviews.

461. **Strategic Performance Report - Quarter 4, 2007-08:**

The Portfolio Holder for Performance, Communication and Corporate Services introduced the report, which summarised Council and service performance against key measures and drew attention to areas requiring action. He advised that the format of the report would be amended so that it was more in line with the Comprehensive Area Assessment Scheme. Future reports would be tailored to reflect how it was envisaged that the Government would measure the Council and to flag up risks.

Each Portfolio Holder updated Cabinet on the position within their area, highlighting areas of progress and concern. During the discussion on this item, Members were advised that the Divisional Director of Safeguarding and Family Support would be retiring shortly and he was thanked for his work in the Children's Services directorate and the progress made. In accordance with Executive Procedure Rule 20, the Chairman invited a Member present to speak on this matter and to convey her thanks to the Divisional Director.

RESOLVED: That (1) Portfolio Holders be requested to work with officers to achieve improvement against identified key challenges and receive monthly updates;

(2) the report be noted.

Reason for Decision: To enable Cabinet to be informed of performance against key measures and to identify and assign corrective action where necessary.

462. **Key Decision - Local Area Agreement 2008-2011:**

The Portfolio Holder for Performance, Communication and Corporate Services introduced the report, which set out the new Local Area Agreement (LAA) for Harrow

and the process that had been undertaken. He advised that the LAA had been approved by the Harrow Strategic Partnership.

RESOLVED: That the new local area agreement initiatives be adopted for the purpose of developing the Council's future Directorate service plans.

Reason for Decision: Adopting the Local Area Agreement would ensure that Directorate service plans included actions to deliver the agreed stretch targets.

463. **Integrated Planning 2009-10 to 2010-2011:**

The Corporate Director of Finance introduced the report, which set out the framework for the development of the new corporate plan and medium term financial strategy for 2009-10 to 2011-12. She advised that the impact of the current economic climate required consideration.

RESOLVED: That (1) the timetable, set out in Appendix 1 to the report of the Corporate Director of Finance, be noted;

(2) the strategy for closing future funding gaps, set out in Appendix 2 to the report of the Corporate Director of Finance, be approved;

(3) the approach to consultation be approved.

Reason for Decision: To promote effective medium term planning.

464. **Annual Health and Safety Report for period 1 April 2007 to 31 March 2008:**

The Chairman reported that there had been an accident at the Depot in Forward Drive the previous day and that a person had been seriously injured. He advised that he would be writing to the individual to wish him a speedy recovery. The Corporate Director of Finance advised that, whilst it appeared that all proper procedures had been complied with in this case, there would be a full investigation by the Health and Safety Executive.

The Corporate Director of Finance introduced the report, which set out a summary of the Council's health and safety performance for the year 1 April 2007 to 31 March 2008. It also provided an update of activities undertaken, including action as part of the response to the Health and Safety Executive (HSE) post inspection management Action plan. In addition, it provided information on performance measures including training data, audits and accidents. It looked ahead to the work planned to support the Council in its change agenda and in response to new legislation.

RESOLVED: That the report on corporate health and safety performance be noted.

Reason for Decision: The report met the objective to assure the health, safety and welfare at work of employees, to promote well being, and to lead and be an exemplar of good health and safety for our community.

465. **Key Decision - Homelessness Strategy 2008-2013:**

The Portfolio Holder for Adults and Housing introduced the report, which set out the key objectives and priorities of the new Homelessness Strategy for Harrow to be delivered over the next 5 years. It had been developed following a full review of homelessness services, including extensive consultation with staff, partners and service users. It set out the way in which the Council and its partners, would develop services to meet the challenges of homelessness demand in Harrow, while at the same time supporting national, regional and local priorities.

The Portfolio Holder for Adults and Housing advised that the Council was trying to ensure that services were available to those most in need. The Divisional Director of Adults and Housing added that there were currently 1,069 families in temporary accommodation and that the Council had a responsibility to find them permanent homes.

RESOLVED: That the Homelessness Strategy 2008-2013 be approved and the Corporate Director of Adults and Housing be delegated authority to make changes, including any adjustments necessary following discussion with Communities and Local Government (CLG), and report to the Tenants' and Leaseholders' Consultative Forum on 22 July 2008.

Reason for Decision: All councils are required, under the Homelessness Act 2002, to have a five-year Homelessness Strategy in place, based on a full review of homelessness and homeless services. Harrow's existing Homelessness Strategy was

developed in 2003 so the Council was required to develop a new Homelessness Strategy for submission to Department for Communities and Local Government by 31 July 2008.

466. **Key Decision - Gating Policy and Procedures:**

The Corporate Director of Community and Environment introduced the report, which put forward a Gating Policy and Procedures for adoption to ensure that there was a fair and consistent approach for installing alley gates across Harrow. The policy was intended to put a framework around how the Council would work with the police and the community to introduce the gates and improve safety. The Portfolio Holder for Environment Services endorsed the proposals.

RESOLVED: That (1) the Gating Policy and Procedures set out at Appendix 1 to the report of the Corporate Director of Community and Environment be formally adopted;

(2) the policy be subjected to ongoing consultation and reviewed on an annual basis, with minor amendments agreed and incorporated on an annual basis in consultation with the Portfolio Holder;

(3) where significant amendment or review was required, the Policy be brought back to Cabinet for decision.

Reason for Decision: To introduce a prioritised approach to alley gating that ensured effectiveness, efficiency and encouraged local resident involvement and ownership.

467. **Any Other Urgent Business:**

Memberships of Cabinet Advisory Panels and Consultative Forums

RESOLVED: That the amendments to the memberships of the bodies listed at Appendix 1 to these minutes be approved.

Reason for Decision: To enable the changes to be effected.

Motion Referred to the Executive by Council on 10 July 2008 – Harrow Town Centre

At the meeting of Council held on 10 July 2008, and in accordance with the provisions of Rule 15.6, a Motion proposed by Councillor Bill Stephenson and seconded by Councillor Keith Ferry, was resolved to stand referred to Cabinet (in particular the Local Development Framework Panel).

This was due to the issue of an overall master plan for the development of the Town Centre and its infrastructure, and the provision of any new leisure facilities being matters within the powers of the Executive.

The motion read as follows:

“This Council is concerned that Harrow Town Centre is rapidly moving to becoming a high rise, overdeveloped jungle of flats – the prime example so far being the development on the Gayton Road site promoted by Harrow Council, which has met with universal condemnation by Harrow residents. There is no overall master plan for the development of the Town Centre and its infrastructure or for the provision of any new leisure facilities.

Council notes and supports the commitments made by the new Mayor of London during the recent GLA campaign to protect Outer London boroughs from high-rise buildings and over development and to place greater emphasis on providing a higher proportion of family size dwellings, and calls on him to honour his election pledge when considering major developments in Harrow.”

RESOLVED: That the Motion be referred to the Local Development Framework Panel for consideration.

Reason for Decision: On 10 July 2008, Council had indicated that the Motion should stand referred to Cabinet and, in particular, the Local Development Framework Panel.

(See Minute 454).

468. **2007-08 Treasury Management Activity:**

The Portfolio Holder for Strategy, Partnership and Finance introduced a confidential report, which set out the summary of Treasury Management activities for 2007-2008.

RESOLVED: That (1) the outturn position for 2007-2008 Treasury Management Activity be noted;

(2) any decisions required to amend the minimum credit criteria used to approve the counterparty lending list be delegated to the Leader and Portfolio Holder for Strategy, Partnership and Finance.

Reason for Decision: To keep Cabinet Members informed of Treasury Management activities and performance.

(See Minute 454).

469. **Key Decision - Adult and Housing Transfer of Residential Homes:**

The Portfolio Holder for Adults and Housing and Divisional Director of Commissioning and Partnerships Children and Adults, introduced a confidential report, which updated Members on the progress of negotiations with Support for Living (formerly Harrow Consortium for Special Needs) to achieve a transfer of the residential accommodation, supported houses and associated services. The report set out three options for better meeting service users' needs and delivering improved value for money.

RESOLVED: That (1) the current business case against the original proposal be reviewed and it be considered which of the three options described in section 2.5 of the report of the Corporate Director of Adults and Housing would best meet the need for high quality residential care and supported living accommodation for adults with learning disabilities and mental health issues;

(2) the officer recommendation for option 2 be agreed and implemented.

Reason for Decision: Cabinet needed to review the current business case against the original proposal and determine whether to proceed with the proposed transfer.

(See Minutes 452, 454 and 455).

(Note: The meeting, having commenced at 7.30 pm, closed at 9.00 pm).

(Signed) COUNCILLOR DAVID ASHTON
Chairman

APPENDIX 1CABINET ADVISORY PANELS 2008/2009

(Membership in order of political group nominations)

ConservativeLabourLiberal Democrat**(1) BUSINESS TRANSFORMATION PARTNERSHIP PANEL (5)****(3)****(2)****I.**
Members**Bill Stephenson ***
Keith Ferry**II.**
Reserve
Members1. Navin Shah
2. Thaya Idaikkadar
3. -**(2) CORPORATE PARENTING PANEL (6)****(4)****(2)****I**
Members**Mrs Margaret Davine ***
Mitzi Green**II.**
Reserve
Members1. B E Gate
2. Raj Ray**(3) EDUCATION ADMISSIONS AND AWARDS PANEL (3)****(2)****(1)****I**
MembersAsad Omar ***II.**
Reserve
Members1. Krishna James
2. -
3. -

(6) LOCAL DEVELOPMENT FRAMEWORK PANEL (7)**(4)****(3)****I**
Members**Keith Ferry ***
Thaya Idaikkadar
Navin Shah**II.**
Reserve
Members1. Mano Dharmarajah
2. Jerry Miles
3. Raj Ray**CONSULTATIVE FORUMS****“ADVISORY” COMMITTEES ESTABLISHED UNDER SECTION 102(4) OF THE LOCAL GOVERNMENT ACT 1972, APPOINTED BY CABINET****(2) EMPLOYEES’ CONSULTATIVE FORUM (7)****Council Representatives****(4)****(3)****I.**
Members**Bob Currie**
Graham Henson *
Phillip O’Dell**II.**
Reserve
Members1. B E Gate
2. Keith Ferry
3. Navin Shah**(3) TENANTS’ AND LEASEHOLDERS’ CONSULTATIVE FORUM (4)****(2)****(2)****I.**
Members**Bob Currie ***
David Gawn**II.**
Reserve
Members1. Phillip O’Dell
2. B E Gate
3. -